WPDES PERMIT

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

PERMIT TO DISCHARGE UNDER THE WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM

BPM Inc

is permitted, under the authority of Chapter 283, Wisconsin Statutes, to discharge from a facility located at
200 W Front Street, Peshtigo, WI 54157
to the

Peshtigo River (Lower Peshtigo River Watershed in the Green Bay Drainage Basin)

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

The permittee shall not discharge after the date of expiration. If the permittee wishes to continue to discharge after this expiration date an application shall be filed for reissuance of this permit, according to Chapter NR 200, Wis. Adm. Code, at least 180 days prior to the expiration date given below.

State of Wisconsin Department of Natural Resources
For the Secretary

By Trevor J Moen Digitally signed by Trevor J Moen Date: 2020.09.29 15:44:06 -05'00'

Trevor Moen
Wastewater Engineer, Bureau of Water Quality

09/29/2020
Date Permit Signed/Issued

PERMIT TERM: EFFECTIVE DATE – October 01, 2020 **EXPIRATION DATE – September 30, 2025**

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1 Influent Requirements - Cooling Water Intake Structure (CWIS)

1.1 Sampling Point(s)

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
701	At Sampling Point 701, the permittee shall take representative samples of the source water from the Peshtigo River intake prior to use at facility.

1.2 Monitoring Requirements and BTA Determinations

The permittee shall comply with the following monitoring requirements.
The intake has been reviewed for compliance with BTA (Best Technology Available) standards and the BTA determination is listed below.

1.2.1 Sampling Point 701 - Peshtigo River Intake

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow Rate		gpd	Daily	Total Daily	

1.2.1.1 CWIS - Authority to Operate and Description

The permittee shall at all times properly operate and maintain the Peshtigo River Source 16625 intake system. The permittee shall give advance notice to the Department of any planned changes in the location, design, operation, or capacity of the intake structure. The permittee is authorized to use the Peshtigo River Source 16625 intake system as described in the fact sheet.

1.2.1.2 Cooling Water Intake BTA (Best Technology Available) Determination

BTA determination using best professional judgement for entrainment and impingement mortality at the Peshtigo River intake structure was made in accordance with s. 283.31(6), Wis. Stats due to the design intake flow being less than 2 MGD and the percentage of intake water used exclusively for cooling being less than 25%. The Department believes that the Peshtigo River Source 16625 intake system, as described in the fact sheet, represents BTA for minimizing adverse environmental impact in accordance with the requirements in section s. 283.31(6), Wis. Stats. and section 316(b) of the Clean Water Act.

1.2.1.3 Future BTA for Cooling Water Intake Structure

BTA determinations for entrainment and impingement mortality at water intake structures will be made in each permit reissuance, in accordance with s. 283.31(6), Wis. Stats. However, if the design intake flow (DIF) exceeds 2 MGD and the permittee uses greater than 25% of intake water exclusively for cooling, BTA determinations for entrainment and impingement mortality will be made in accordance with ss. NR 111.12-13, Wis. Adm. Code and the permittee will be required to submit all the required information in s. NR 111.40(2)(b), Wis. Adm. Code with the permit application.

1.2.1.4 Intake Screen Discharges and Removed Substances

Floating debris and accumulated trash collected on the cooling water intake trash rack shall be removed and disposed of in a manner to prevent any pollutant from the material from entering the waters of the State pursuant to s. NR 205.07 (3) (a), Wis. Adm. Code, except that backwashes may contain fine materials that originated from the intake water source such as sand, silt, small vegetation or aquatic life.

1.2.1.5 Endangered Species Act

Nothing in this permit authorizes take for the purpose of a facility's compliance with the Endangered Species Act.

2 Surface Water Requirements

2.1 Sampling Point(s)

The discharge(s) shall be limited to the waste type(s) designated for the listed sampling point(s).

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
001	At Sampling Point 001, the permittee shall take representative samples of the treated effluent from the wastewater treatment facility of the combined discharge of process wastewater from paper manufacturing, noncontact cooling water, boiler blowdown, domestic wastewater from washing stations, and softener regeneration prior to discharging to the Peshtigo River via Outfall 001.

2.2 Monitoring Requirements and Effluent Limitations

The permittee shall comply with the following monitoring requirements and limitations.

2.2.1 Sampling Point (Outfall) 001 - EFFLUENT TO PESHTIGO RIVER

Monitoring Requirements and Effluent Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow Rate		MGD	Continuous	Continuous	
BOD_5, Total		mg/L	Weekly	24-Hr Flow Prop Comp	
BOD_5, Total	Daily Max	8,712 lbs/day	Weekly	Calculated	Limit effective November 1 to April 31 each year.
BOD_5, Total	Monthly Avg	4,633 lbs/day	Weekly	Calculated	Limit effective November 1 to April 31 each year.
Suspended Solids, Total		mg/L	Weekly	24-Hr Flow Prop Comp	
Suspended Solids, Total	Daily Max	10,611 lbs/day	Weekly	Calculated	
Suspended Solids, Total	Monthly Avg	5,586 lbs/day	Weekly	Calculated	
pH Field	Daily Max	9.0 su	Daily	Grab	
pH Field	Daily Min	6.0 su	Daily	Grab	
Temperature Maximum		deg F	Weekly	Measure	Monitoring Only. Effective January 1, 2024 to December 31, 2024.
Mercury, Total Recoverable	Daily Max	1.3 ng/L	Monthly	Grab	See permit Section 2.2.1.1 for more information
Mercury, Total Recoverable	Monthly Avg	1.3 ng/L	Monthly	Grab	See permit Section 2.2.1.1 for more information
Mercury, Total Recoverable	Monthly Avg	4.0 mg/day	Monthly	Calculated	

Monitoring Requirements and Effluent Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Phosphorus, Total		mg/L	Quarterly	24-Hr Flow Prop Comp	
WLA Previous Day River Flow		cfs	Daily	Continuous	Effective May 1 to October 31 each year. See permit Section 2.2.1.4 for more information.
WLA Previous Day River Temp		deg F	Daily	Continuous	Effective May 1 to October 31 each year. See permit Section 2.2.1.4 for more information.
WLA Value		lbs/day	Daily	Calculated	Effective May 1 to October 31 each year. See permit Section 2.2.1.4 for more information.
WLA BOD_5 Discharged	Daily Max - Variable	lbs/day	Daily	Calculated	Effective May 1 to October 31 each year. See permit Section 2.2.1.4 for more information.
Acute WET		TU_a	See Listed Qtr(s)	24-Hr Flow Prop Comp	See permit Section 2.2.1.3 for more information.

2.2.1.1 Mercury Monitoring

The permittee shall collect and analyze all mercury samples according to the data quality requirements of ss. NR 106.145(9) and (10), Wisconsin Administrative Code. The limit of quantitation (LOQ) used for the effluent and field blank shall be less than 1.3 ng/L, unless the samples are quantified at levels above 1.3 ng/L. The permittee shall collect at least one mercury field blank for each set of mercury samples (a set of samples may include combinations of intake, influent, effluent or other samples all collected on the same day). The permittee shall report results of samples and field blanks to the Department on Discharge Monitoring Reports.

2.2.1.2 Additives

The permittee shall maintain a record of the dosage rate of all additives used on a monthly basis. The additives may be changed during the term of the permit following procedures in the 'Additives' subsection of the Standard Requirements.

2.2.1.3 Whole Effluent Toxicity (WET) Testing

Primary Control Water: Synthetic (standard) laboratory water

Dilution series: At least five effluent concentrations and dual controls must be included in each test.

- **Acute:** 100, 50, 25, 12.5, 6.25% and any additional selected by the permittee.

WET Testing Frequency:

Acute tests shall be conducted twice each year in rotating quarters in order to collect seasonal information about the discharge. Tests are required during the following quarters:

- **Acute:**

Year	Quarters
2021	2nd (April – June)
2021	4th (October – December)
2022	1st (January – March)
2022	3rd (July – September)
2023	1st (January – March)
2023	3rd (July – September)
2024	2nd (April – June)
2024	4th (October – December)
2025	1st (January – March)
2025	3rd (July – September)

Acute WET testing shall continue after the permit expiration date (until the permit is reissued) in accordance with the WET requirements specified for the last full calendar year of this permit. For example, the next test would be required in:

Year	Quarters
2026	2nd (April – June)
2026	4th (October – December)

Testing: WET testing shall be performed during normal operating conditions. Permittees are not allowed to turn off or otherwise modify treatment systems, production processes, or change other operating or treatment conditions during WET tests.

Reporting: The permittee shall report test results on the Discharge Monitoring Report form, and also complete the "Whole Effluent Toxicity Test Report Form" (Section 6, "*State of Wisconsin Aquatic Life Toxicity Testing Methods Manual, 2nd Edition*"), for each test. The original, complete, signed version of the Whole Effluent Toxicity Test Report Form shall be sent to the Biomonitoring Coordinator, Bureau of Water Quality, 101 S. Webster St., P.O. Box 7921, Madison, WI 53707-7921, within 45 days of test completion. The Discharge Monitoring Report (DMR) form shall be submitted electronically by the required deadline.

Determination of Positive Results: An acute toxicity test shall be considered positive if the Toxic Unit - Acute (TU_a) is greater than 1.0 for either species. The TU_a shall be calculated as follows: $TU_a = 100 \div LC_{50}$.

Additional Testing Requirements: Within 90 days of a test which showed positive results, the permittee shall submit the results of at least 2 retests to the Biomonitoring Coordinator on "Whole Effluent Toxicity Test Report Forms". The 90-day reporting period shall begin the day after the test which showed a positive result. The

retests shall be completed using the same species and test methods specified for the original test (see the Standard Requirements section herein).

2.2.1.4 Waste Load Allocation Requirements

Each year during the months of May through October the total daily discharge of BOD_5 from Outfall 001 is limited to the following waste load allocated daily maximum water quality related effluent limitations shown in Table 1, Table 2, Table 3, and Table 4.

Definitions:

- Flow in the following waste load allocation tables shall be defined as the daily average flow value derived from continuous river flow monitoring data for the Peshtigo River.
- Temperature in the following waste load allocation tables shall be defined as the daily average temperature value derived from continuous river temperature monitoring data for the Peshtigo River.
- Point source allocation values (pounds per day BOD_5) in the following waste load allocation tables represent the daily maximum water quality related effluent limitations. The flow and temperature conditions used to determine a point source allocation value for a given day shall be the representative average measurements of the flow and temperature of the previous day.

Monitoring Requirements: Flow and temperature monitoring of the Peshtigo River and flow and BOD_5 monitoring at Sampling Point 001 shall be performed on the same schedule. For example, facility X provides flow and temperature data for a 24-hour period beginning at 7:00 a.m. each day. If the permittee uses Facility X's river flow and temperature data, the permittee must begin collecting 24-hour flow proportional composite samples for BOD_5 at 7:00 a.m. each day and must total the effluent flow over the 24-hour period beginning and ending at 7:00 a.m. This requirement does not preclude the definition of point source allocation value, which requires the previous day's river temperature and flow to be used to derive the day's point source allocation value.

Reporting Requirements: During the months of May through October inclusive, the permittee shall report the following:

- Previous day river flow (cfs);
- Previous day river temperature (°F);
- Point source waste load allocation value (lbs BOD_5 per day); and
- Actual daily discharge value of BOD_5 (lbs BOD_5 per day);

Point Source Allocation Values: Point source allocation values are provided in the following tables:

Table 1. Point Source Waste Load Allocated Values for May and June (lbs BOD_5 per day)

Temperature (previous Day Average in °F)	Previous Day Average Flow at Peshtigo (cfs)									
	200 or less	**201-260**	**261-300**	**301-340**	**341-400**	**401-530**	**531-610**	**611-800**	**801-1100**	**1101 or More**
78+	1787	1814	1940	1787	1895	1972	2095	2185	2258	2042
74-77	1885	2037	2223	2088	2278	2463	2506	2506	2506	2506
70-73	2057	2293	2506	2458	2506	2506	2506	2506	2506	2506
66-69	2301	2506	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506

Table 2. Point Source Waste Load Allocated Values for July (lbs BOD_5 per day)

Temperature (previous Day Average in °F)	Previous Day Average Flow at Peshtigo (cfs)									
	200 or less	**201-260**	**261-300**	**301-340**	**341-400**	**401-530**	**531-610**	**611-800**	**801-1100**	**1101 or More**
78+	1787	1814	1880	1787	1947	2120	2333	2506	2506	2506
74-77	1895	2067	2275	2220	2451	2506	2506	2506	2506	2506
70-73	2148	2418	2506	2506	2506	2506	2506	2506	2506	2506
66-69	2436	2506	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506

Table 3. Point Source Waste Load Allocated Values for August and September (lbs BOD_5 per day)

Temperature (previous Day Average in °F)	Previous Day Average Flow at Peshtigo (cfs)									
	200 or less	**201-260**	**261-300**	**301-340**	**341-400**	**401-530**	**531-610**	**611-800**	**801-1100**	**1101 or More**
78+	1787	1787	1787	1787	1787	1787	1787	1787	1787	1787
74-77	1787	1787	1947	1787	1940	2035	2208	2363	2506	2506
70-73	1869	2082	2313	2186	2423	2506	2506	2506	2506	2506
66-69	2140	2446	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506

Table 4. Point Source Waste Load Allocated Values for October (lbs BOD_5 per day)

Temperature (previous Day Average in °F)	Previous Day Average Flow at Peshtigo (cfs)									
	200 or less	**201-260**	**261-300**	**301-340**	**341-400**	**401-530**	**531-610**	**611-800**	**801-1100**	**1101 or More**
78+	1787	1787	1787	1787	1787	1787	1787	1787	1787	1787
74-77	1787	1787	1807	1787	1787	1822	1985	2153	2393	2506
70-73	1787	1952	2168	2012	2238	2461	2506	2506	2506	2506
66-69	2047	2333	2506	2506	2506	2506	2506	2506	2506	2506
62-65	2441	2506	2506	2506	2506	2506	2506	2506	2506	2506
32-61	2506	2506	2506	2506	2506	2506	2506	2506	2506	2506

3 Offsite Disposal Requirements

3.1 Sampling Point(s)

This section shall be limited to the waste type(s) designated in the listed sampling point(s) for offsite disposal.

Sampling Point Designation	
Sampling Point Number	**Sampling Point Location, WasteType/Sample Contents and Treatment Description (as applicable)**
002	At Sampling Point 002, the permittee shall track the final disposal of the by-product solids and sludges generated from treatment of paper mill process wastewater at the wastewater treatment facility.

3.2 Monitoring Requirements and Limitations

The permittee shall comply with the following monitoring requirements and limitations

3.2.1 Sampling Point (Outfall) 002 – Paper Mill Sludge

3.2.1.1 Landspreading or Discharge to Manure Pit(s) Approval

The permittee is not authorized under this permit to landspread any of the wastes associated with Outfall 002 and is not authorized to store these wastes in manure storage structures.

3.3 Reporting and Recordkeeping Requirements

The permittee shall comply with the following reporting and recordkeeping requirements.

3.3.1 Annual Land Application Report

The annual totals for the land application loadings of liquid wastes, by-product solids and sludges to field spreading sites shall be submitted electronically on the Annual Land Application Report Form 3400-55 by January 31, each year whether or not waste is land applied. Following submittal of the electronic Annual Land Application Report Form 3400-55, this form shall be certified electronically via the 'eReport Certify' page by a responsible executive officer, manager, partner or proprietor as specified in s. 283.37(3), Wis. Stats., or a duly authorized representative of the officer, manager, partner or proprietor that has been delegated signature authority pursuant to s. NR 205.07(1)(g)2, Wis. Adm. Code. The 'eReport Certify' page certifies that the electronic report form is true, accurate and complete.

3.3.2 Other Methods of Disposal or Distribution Report

The permittee shall submit electronically the Other Methods of Disposal or Distribution Report Form 3400-52 by January 31, each year whether or not waste is hauled to another facility, landfilled, or incinerated. Following submittal of the electronic Report Form 3400-52, this form shall be certified electronically via the 'eReport Certify' page by a responsible executive officer, manager, partner or proprietor as specified in s. 283.37(3), Wis. Stats., or a duly authorized representative of the officer, manager, partner or proprietor that has been delegated signature authority pursuant to s. NR 205.07(1)(g)2, Wis. Adm. Code. The 'eReport Certify' page certifies that the electronic report form is true, accurate and complete.

3.3.3 Daily Disposal Log

The permittee shall maintain a daily disposal log of all waste hauled to another facility, landfill, or incinerator for disposal.

4 Schedules

4.1 Permit Application Submittal

The permittee shall file an application for permit reissuance in accordance with ch. NR 200, Wis. Adm. Code.

Required Action	Due Date
Permit Application Submittal: Submit a complete permit application to the Department no later than 180 days prior to the permit expiration date. The application for reissuance of a permit shall be submitted electronically using the department's web−based application system.	04/01/2025

4.2 Chlorophenolic-Containing Biocide Use

The permittee shall certify that no chlorophenolic-containing biocides are in use at the facility pursuant to s. NR 284.12(2)(b), Wis. Adm. Code.

Required Action	Due Date
Biocide Certification: The permittee shall submit and certify by written letter with permit reissuance application that: "No chlorophenolic-containing biocides are used in the facility's processes." The signature block shall include the following statement: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."	04/01/2025

4.3 Production Data Submittal

The permittee shall submit production data with the permit reissuance application pursuant to s. NR 200.06(4), Wis. Adm. Code.

Required Action	Due Date
Paper Production Data Submittal: The permittee shall provide the total annual production and days of operation for each paper machine at the facility from the previous five years. Paper or paperboard production shall be measured at the paper machine takeup reel in off−the−machine moisture content pursuant to s. NR 284.115, Wis. Adm. Code.	04/01/2025

5 Standard Requirements

NR 205, Wisconsin Administrative Code (Conditions for Industrial Dischargers): The conditions in ss. NR 205.07(1) and NR 205.07(3), Wis. Adm. Code, are included by reference in this permit. The permittee shall comply with all of these requirements. Some of these requirements are outlined in the Standard Requirements section of this permit. Requirements not specifically outlined in the Standard Requirement section of this permit can be found in ss. NR 205.07(1) and NR 205.07(3).

5.1 Reporting and Monitoring Requirements

5.1.1 Monitoring Results

Monitoring results obtained during the previous month shall be summarized and reported on a Department Wastewater Discharge Monitoring Report. The report may require reporting of any or all of the information specified below under 'Recording of Results'. This report is to be returned to the Department no later than the date indicated on the form. A copy of the Wastewater Discharge Monitoring Report Form or an electronic file of the report shall be retained by the permittee.

Monitoring results shall be reported on an electronic discharge monitoring report (eDMR). The eDMR shall be certified electronically by a responsible executive or officer, manager, partner or proprietor as specified in s. 283.37(3), Wis. Stats., or a duly authorized representative of the officer, manager, partner or proprietor that has been delegated signature authority pursuant to s. NR 205.07(1)(g)2, Wis. Adm. Code. The 'eReport Certify' page certifies that the electronic report form is true, accurate and complete.

If the permittee monitors any pollutant more frequently than required by this permit, the results of such monitoring shall be included on the Wastewater Discharge Monitoring Report.

The permittee shall comply with all limits for each parameter regardless of monitoring frequency. For example, monthly, weekly, and/or daily limits shall be met even with monthly monitoring. The permittee may monitor more frequently than required for any parameter.

5.1.2 Sampling and Testing Procedures

Sampling and laboratory testing procedures shall be performed in accordance with Chapters NR 218 and NR 219, Wis. Adm. Code and shall be performed by a laboratory certified or registered in accordance with the requirements of ch. NR 149, Wis. Adm. Code. Groundwater sample collection and analysis shall be performed in accordance with ch. NR 140, Wis. Adm. Code. The analytical methodologies used shall enable the laboratory to quantitate all substances for which monitoring is required at levels below the effluent limitation. If the required level cannot be met by any of the methods available in NR 219, Wis. Adm. Code, then the method with the lowest limit of detection shall be selected. Additional test procedures may be specified in this permit.

5.1.3 Recording of Results

The permittee shall maintain records which provide the following information for each effluent measurement or sample taken:

- the date, exact place, method and time of sampling or measurements;
- the individual who performed the sampling or measurements;
- the date the analysis was performed;
- the individual who performed the analysis;
- the analytical techniques or methods used; and
- the results of the analysis.

5.1.4 Reporting of Monitoring Results

The permittee shall use the following conventions when reporting effluent monitoring results:

- Pollutant concentrations less than the limit of detection shall be reported as < (less than) the value of the limit of detection. For example, if a substance is not detected at a detection limit of 0.1 mg/L, report the pollutant concentration as < 0.1 mg/L.

- Pollutant concentrations equal to or greater than the limit of detection, but less than the limit of quantitation, shall be reported and the limit of quantitation shall be specified.

- For purposes of calculating NR 101 fees, the 2 mg/l lower reporting limits for BOD_5 and Total Suspended Solids shall be considered to be limits of quantitation

- For the purposes of reporting a calculated result, average or a mass discharge value, the permittee may substitute a 0 (zero) for any pollutant concentration that is less than the limit of detection. However, if the effluent limitation is less than the limit of detection, the department may substitute a value other than zero for results less than the limit of detection, after considering the number of monitoring results that are greater than the limit of detection and if warranted when applying appropriate statistical techniques.

5.1.5 Records Retention

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings or electronic data records for continuous monitoring instrumentation, copies of all reports required by the permit, and records of all data used to complete the application for the permit for a period of at least 3 years from the date of the sample, measurement, report or application, except for sludge management forms and records, which shall be kept for a period of at least 5 years.

5.1.6 Other Information

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or in any report to the Department, it shall promptly submit such facts or correct information to the Department.

5.1.7 Reporting Requirements – Alterations or Additions

The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is only required when:

- The alteration or addition to the permitted facility may meet one of the criteria for determining whether a facility is a new source.
- The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification requirement applies to pollutants which are not subject to effluent limitations in the existing permit.
- The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use of disposal sites not reported during the permit application process nor reported pursuant to an approved land application plan. Additional sites may not be used for the land application of sludge until department approval is received.

5.2 System Operating Requirements

5.2.1 Noncompliance Reporting

The permittee shall report the following types of noncompliance by a telephone call to the Department's regional office within 24 hours after becoming aware of the noncompliance:

- any noncompliance which may endanger health or the environment;
- any violation of an effluent limitation resulting from a bypass;
- any violation of an effluent limitation resulting from an upset; and
- any violation of a maximum discharge limitation for any of the pollutants listed by the Department in the permit, either for effluent or sludge.

A written report describing the noncompliance shall also be submitted to the Department as directed at the end of this permit within 5 days after the permittee becomes aware of the noncompliance. On a case-by-case basis, the Department may waive the requirement for submittal of a written report within 5 days and instruct the permittee to submit the written report with the next regularly scheduled monitoring report. In either case, the written report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; the steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance; and if the noncompliance has not been corrected, the length of time it is expected to continue.

A scheduled bypass approved by the Department under the 'Scheduled Bypass' section of this permit shall not be subject to the reporting required under this section.

NOTE: Section 292.11(2)(a), Wisconsin Statutes, requires any person who possesses or controls a hazardous substance or who causes the discharge of a hazardous substance to notify the Department of Natural Resources **immediately** of any discharge not authorized by the permit. **The discharge of a hazardous substance that is not authorized by this permit or that violates this permit may be a hazardous substance spill. To report a hazardous substance spill, call DNR's 24-hour HOTLINE at 1-800-943-0003**.

5.2.2 Bypass

Except for a controlled diversion as provided in the 'Controlled Diversions' section of this permit, any bypass is prohibited and the Department may take enforcement action against a permittee for such occurrences under s. 283.89, Wis. Stats. The Department may approve a bypass if the permittee demonstrates all the following conditions apply:

- The bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities or adequate back-up equipment, retention of untreated wastes, reduction of inflow and infiltration, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance. When evaluating feasibility of alternatives, the department may consider factors such as technical achievability, costs and affordability of implementation and risks to public health, the environment and, where the permittee is a municipality, the welfare of the community served; and
- The bypass was reported in accordance with the 'Noncompliance Reporting' section of this permit.

5.2.3 Scheduled Bypass

Whenever the permittee anticipates the need to bypass for purposes of efficient operations and maintenance and the permittee may not meet the conditions for controlled diversions in the 'Controlled Diversions' section of this permit, the permittee shall obtain prior written approval from the Department for the scheduled bypass. A permittee's written request for Department approval of a scheduled bypass shall demonstrate that the conditions for unscheduled bypassing are met and include the proposed date and reason for the bypass, estimated volume and duration of the

bypass, alternatives to bypassing and measures to mitigate environmental harm caused by the bypass. The department may require the permittee to provide public notification for a scheduled bypass if it is determined there is significant public interest in the proposed action and may recommend mitigation measures to minimize the impact of such bypass.

5.2.4 Controlled Diversions

Controlled diversions are allowed only when necessary for essential maintenance to assure efficient operation provided the following requirements are met:

- Effluent from the wastewater treatment facility shall meet the effluent limitations established in the permit. Wastewater that is diverted around a treatment unit or treatment process during a controlled diversion shall be recombined with wastewater that is not diverted prior to the effluent sampling location and prior to effluent discharge;
- A controlled diversion may not occur during periods of excessive flow or other abnormal wastewater characteristics;
- A controlled diversion may not result in a wastewater treatment facility overflow; and
- All instances of controlled diversions shall be documented in wastewater treatment facility records and such records shall be available to the department on request.

5.2.5 Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training as required in ch. NR 114, Wis. Adm. Code, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

5.2.6 Operator Certification

The wastewater treatment facility shall be under the direct supervision of a state certified operator. In accordance with s. NR 114.53, Wis. Adm. Code, every WPDES permitted treatment plant shall have a designated operator-in-charge holding a current and valid certificate. The designated operator-in-charge shall be certified at the level and in all subclasses of the treatment plant, except laboratory. Treatment plant owners shall notify the department of any changes in the operator-in-charge within 30 days. Note that s. NR 114.52(22), Wis. Adm. Code, lists types of facilities that are excluded from operator certification requirements (i.e. private sewage systems, pretreatment facilities discharging to public sewers, industrial wastewater treatment that consists solely of land disposal, agricultural digesters and concentrated aquatic production facilities with no biological treatment).

5.2.7 Spill Reporting

The permittee shall notify the Department in accordance with ch. NR 706 (formerly NR 158), Wis. Adm. Code, in the event that a spill or accidental release of any material or substance results in the discharge of pollutants to the waters of the state at a rate or concentration greater than the effluent limitations established in this permit, or the spill or accidental release of the material is unregulated in this permit, unless the spill or release of pollutants has been reported to the Department in accordance with s. NR 205.07 (1)(s), Wis. Adm. Code.

5.2.8 Planned Changes

In accordance with ss. 283.31(4)(b) and 283.59, Stats., the permittee shall report to the Department any facility expansion, production increase or process modifications which will result in new, different or increased discharges of pollutants. The report shall either be a new permit application, or if the new discharge will not violate the effluent limitations of this permit, a written notice of the new, different or increased discharge. The notice shall contain a

description of the new activities, an estimate of the new, different or increased discharge of pollutants and a description of the effect of the new or increased discharge on existing waste treatment facilities. Following receipt of this report, the Department may modify this permit to specify and limit any pollutants not previously regulated in the permit.

5.2.9 Duty to Halt or Reduce Activity

Upon failure or impairment of treatment facility operation, the permittee shall, to the extent necessary to maintain compliance with its permit, curtail production or wastewater discharges or both until the treatment facility operations are restored or an alternative method of treatment is provided.

5.3 Surface Water Requirements

5.3.1 Permittee-Determined Limit of Quantitation Incorporated into this Permit

For pollutants with water quality-based effluent limits below the Limit of Quantitation (LOQ) in this permit, the LOQ calculated by the permittee and reported on the Discharge Monitoring Reports (DMRs) is incorporated by reference into this permit. The LOQ shall be reported on the DMRs, shall be the lowest quantifiable level practicable, and shall be no greater than the minimum level (ML) specified in or approved under 40 CFR Part 136 for the pollutant at the time this permit was issued, unless this permit specifies a higher LOQ.

5.3.2 Appropriate Formulas for Effluent Calculations

The permittee shall use the following formulas for calculating effluent results to determine compliance with average concentration limits and mass limits and total load limits:

Weekly/Monthly/Six-Month/Annual Average Concentration = the sum of all daily results for that week/month/six-month/year, divided by the number of results during that time period. [Note: When a six-month average effluent limit is specified for Total Phosphorus the applicable periods are May through October and November through April.]

Weekly Average Mass Discharge (lbs/day): Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the week.

Monthly Average Mass Discharge (lbs/day): Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the month.

Six-Month Average Mass Discharge (lbs/day): Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the six-month period. [Note: When a six-month average effluent limit is specified for Total Phosphorus the applicable periods are May through October and November through April.]

Annual Average Mass Discharge (lbs/day): Daily mass = daily concentration (mg/L) x daily flow (MGD) x 8.34, then average the daily mass values for the entire year.

Total Monthly Discharge: = monthly average concentration (mg/L) x total flow for the month (MG/month) x 8.34.

Total Annual Discharge: = sum of total monthly discharges for the calendar year.

12-Month Rolling Sum of Total Monthly Discharge: = the sum of the most recent 12 consecutive months of Total Monthly Discharges.

5.3.3 Effluent Temperature Requirements

Weekly Average Temperature – The permittee shall use the following formula for calculating effluent results to determine compliance with the weekly average temperature limit (as applicable): Weekly Average Temperature = the sum of all daily maximum results for that week divided by the number of daily maximum results during that time period.

Cold Shock Standard – Water temperatures of the discharge shall be controlled in a manner as to protect fish and aquatic life uses from the deleterious effects of cold shock. 'Cold Shock' means exposure of aquatic organisms to a rapid decrease in temperature and a sustained exposure to low temperature that induces abnormal behavior or physiological performance and may lead to death.

Rate of Temperature Change Standard – Temperature of a water of the state or discharge to a water of the state may not be artificially raised or lowered at such a rate that it causes detrimental health or reproductive effects to fish or aquatic life of the water of the state.

5.3.4 Visible Foam or Floating Solids

There shall be no discharge of floating solids or visible foam in other than trace amounts.

5.3.5 Surface Water Uses and Criteria

In accordance with NR 102.04, Wis. Adm. Code, surface water uses and criteria are established to govern water management decisions. Practices attributable to municipal, industrial, commercial, domestic, agricultural, land development or other activities shall be controlled so that all surface waters including the mixing zone meet the following conditions at all times and under all flow and water level conditions:

a) Substances that will cause objectionable deposits on the shore or in the bed of a body of water, shall not be present in such amounts as to interfere with public rights in waters of the state.

b) Floating or submerged debris, oil, scum or other material shall not be present in such amounts as to interfere with public rights in waters of the state.

c) Materials producing color, odor, taste or unsightliness shall not be present in such amounts as to interfere with public rights in waters of the state.

d) Substances in concentrations or in combinations which are toxic or harmful to humans shall not be present in amounts found to be of public health significance, nor shall substances be present in amounts which are acutely harmful to animal, plant or aquatic life.

5.3.6 Additives

In the event that the permittee wishes to commence use of a water treatment additive, or increase the usage of the additives greater than indicated in the permit application, the permittee must get a written approval from the Department prior to initiating such changes. This written approval shall provide authority to utilize the additives at the specific rates until the permit can be either reissued or modified in accordance with s. 283.53, Stats. Restrictions on the use of the additives may be included in the authorization letter.

5.3.7 Whole Effluent Toxicity (WET) Monitoring Requirements

In order to determine the potential impact of the discharge on aquatic organisms, static-renewal toxicity tests shall be performed on the effluent in accordance with the procedures specified in the *"State of Wisconsin Aquatic Life Toxicity Testing Methods Manual, 2nd Edition" (PUB-WT-797*, November 2004) as required by NR 219.04, Table A, Wis. Adm. Code). All of the WET tests required in this permit, including any required retests, shall be conducted on the *Ceriodaphnia dubia* and fathead minnow species. Receiving water samples shall not be collected from any point in contact with the permittee's mixing zone and every attempt shall be made to avoid contact with any other discharge's mixing zone.

5.3.8 Whole Effluent Toxicity (WET) Identification and Reduction

Within 60 days of a retest which showed positive results, the permittee shall submit a written report to the Biomonitoring Coordinator, Bureau of Water Quality, 101 S. Webster St., PO Box 7921, Madison, WI 53707-7921, which details the following:

- A description of actions the permittee has taken or will take to remove toxicity and to prevent the recurrence of toxicity;

- A description of toxicity reduction evaluation (TRE) investigations that have been or will be done to identify potential sources of toxicity, including some or all of the following actions:

  (a) Evaluate the performance of the treatment system to identify deficiencies contributing to effluent toxicity (e.g., operational problems, chemical additives, incomplete treatment)
  (b) Identify the compound(s) causing toxicity
  (c) Trace the compound(s) causing toxicity to their sources (e.g., industrial, commercial, domestic)
  (d) Evaluate, select, and implement methods or technologies to control effluent toxicity (e.g., in-plant or pretreatment controls, source reduction or removal)

- Where corrective actions including a TRE have not been completed, an expeditious schedule under which corrective actions will be implemented;

- If no actions have been taken, the reason for not taking action.

The permittee may also request approval from the Department to postpone additional retests in order to investigate the source(s) of toxicity. Postponed retests must be completed after toxicity is believed to have been removed.

6 Summary of Reports Due

FOR INFORMATIONAL PURPOSES ONLY

Description	Date	Page
Land Application Form 3400-55	January 31, each year whether or not waste is land applied	8
Other Methods of Disposal or Distribution Report Form 3400-52	January 31, each year whether or not waste is hauled to another facility, landfilled, or incinerated	8
Permit Application Submittal -Permit Application Submittal	April 1, 2025	9
Chlorophenolic-Containing Biocide Use -Biocide Certification	April 1, 2025	9
Production Data Submittal -Paper Production Data Submittal	April 1, 2025	9
Wastewater Discharge Monitoring Report	no later than the date indicated on the form	10

Report forms shall be submitted electronically in accordance with the reporting requirements herein. Any facility plans or plans and specifications for municipal, industrial, industrial pretreatment and non-industrial wastewater systems shall be submitted to the Bureau of Water Quality, P.O. Box 7921, Madison, WI 53707-7921. All other submittals required by this permit shall be submitted to:
Northeast Region, 2984 Shawano Avenue, Green Bay, WI 54313-6727